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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,) Case No.: 2:14-cr-00312-GMN-NJK
Plaintiff,)
vs.)
ROBERT PETROZZINO,)
Defendant.)

STIPULATION TO CONTINUE
REVOCATION HEARING
(THIRD REQUEST)

IT IS HEREBY STIPULATED AND AGREED, by and between BRIAN J. SMITH, counsel for ROBERT PETROZZINO, Christopher Chiou, Acting United States Attorney, and KIMBERLY ANNE SOKOLICH, Assistant United States Attorney, that the revocation hearing currently scheduled for March 10, 2021, at the hour of 12:00 p.m., be vacated and set to a date and time convenient to this court, but in no event earlier than ten (10) days.

This Stipulation is entered into for the following:

1. Mr. Smith was recently appointed to represent Mr. Petrozzino and needs additional time to review discovery and the recommendation of U.S. Probation.
2. Mr. Smith has a conflict on the currently scheduled hearing date.
3. Defendant Petrozzino, who is in custody, agrees to the continuance.
4. Brian J. Smith, counsel for Petrozzino is in agreement with this continuance.
5. Counsel for the government is in agreement with this continuance.
6. The government request that the hearing take place during the morning hours, if possible.

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7. The additional time requested by this stipulation is made in good faith and not for purpose of delay.

8. Additionally, denial of this request or continuance would result in a miscarriage of justice.

This is the third stipulation to continue filed herein.

DATED this 3rd day of March, 2021.

RESPECTFULLY SUBMITTED BY:

CHRISTOPHER CHIOU
Acting United States Attorney

/s/ Kimberly Anne Sokolich
KIMBERLY ANNE SOKOLICH, ESQ.
Assistant United States Attorney

/s/ Brian J. Smith
BRIAN J. SMITH, ESQ.
Attorney for PETROZZINO

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

Based upon the submitted Stipulation of the parties, and good cause appearing therefore, the Court finds that:

1. Mr. Smith was recently appointed to represent Mr. Petrozzino and needs additional time to review discovery and the recommendation of U.S. Probation.
2. Mr. Smith has a conflict on the currently scheduled hearing date.
3. Defendant Petrozzino, who is in custody, agrees to the continuance.
4. Brian J. Smith, counsel for Petrozzino is in agreement with this continuance.
5. Counsel for the government is in agreement with this continuance.
6. The government request that the hearing take place during the morning hours, if possible.

CONCLUSIONS OF LAW

1. Denial of this request for continuance would deny the defendant sufficient time to be able to fairly resolve his case, taking into account the exercise of due diligence.

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1 2. The additional time requested by this stipulation is made in good faith and not for
2 purpose of delay.

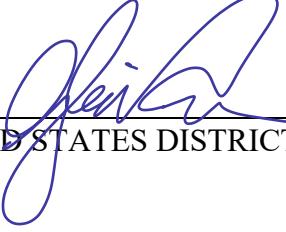
3 3. Additionally, denial of this request or continuance would result in a miscarriage of
4 justice.

5 This is the third stipulation to continue filed herein.

6 **ORDER**

7 **IT IS THEREFORE ORDERED** that the revocation hearing currently scheduled for March
8 10, 2021, at the hour of 12:00 p.m., be vacated and continued to March 31, 2021 at the hour of
9 12:00 p.m.

10 DATED this 4 of March, 2021.

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13 UNITED STATES DISTRICT COURT JUDGE

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